



Home Office

# **PBS sponsor licensing: Tier 4 basic compliance assessment**

## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### About this guidance

<p><a href="#">Basic compliance assessment: general information</a></p> <p><a href="#">Basic compliance assessment: fees</a></p> <p><a href="#">Basic compliance assessment: qualifying criteria</a></p> <p><a href="#">Basic compliance assessment: core requirements</a></p> <p><a href="#">Basic compliance assessment: requesting a compliance visit</a></p> <p><a href="#">Basic compliance assessment: discretionary assessment</a></p> <p><a href="#">Basic compliance assessment: decision making</a></p> <p><a href="#">Basic compliance assessment: renewal applications</a></p> <p><a href="#">Basic compliance assessment: revocation action</a></p> <p><a href="#">Basic compliance assessment: primary, secondary and</a></p>	<p>This guidance explains how to consider an application for a basic compliance assessment under Tier 4 of the points-based system (PBS).</p> <p><b>‘Highly trusted sponsor’ status</b></p> <p>On 6 April 2015 The ‘highly trusted sponsor’ and ‘A-rated’ statuses were abolished and replaced by ‘Tier 4 sponsor status’ and ‘probationary sponsor’ status. The basic compliance assessment replaces the highly trusted sponsor status assessment.</p> <p>A sponsor must apply for a basic compliance assessment every 12 months by selecting ‘apply for Tier 4 sponsor status’ using their sponsorship management system (SMS).</p> <p>For information about the PBS sponsor requirements and policy see: <a href="#">Sponsor guidance</a>.</p> <p><a href="#">Changes to this guidance</a> – This page tells you what has changed since the previous versions of this guidance.</p> <p><a href="#">Contact</a> – This page tells you who to contact for help if your line manager can’t answer your question.</p> <p><a href="#">Information owner</a> – This page tells you about this version of the guidance and who owns it.</p>	<p><b>Related links</b></p> <p>Links to staff intranet removed</p> <p><b>External links</b></p>
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<a href="#">authorisation</a> <a href="#">Tier 4 legacy sponsors</a>		
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## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### PBS sponsor licensing: Tier 4 basic compliance assessment: Changes to this guidance

<p><a href="#">About this guidance</a>  <a href="#">Basic compliance assessment: general information</a>  <a href="#">Basic compliance assessment: fees</a>  <a href="#">Basic compliance assessment: qualifying criteria</a>  <a href="#">Basic compliance assessment: core requirements</a>  <a href="#">Basic compliance assessment: requesting a compliance visit</a>  <a href="#">Basic compliance assessment: discretionary assessment</a>  <a href="#">Basic compliance assessment: decision making</a>  <a href="#">Basic compliance assessment: renewal applications</a>  <a href="#">Basic compliance assessment: revocation action</a>  <a href="#">Basic compliance assessment: primary.</a></p>	<p>This page lists changes to the Points-based system sponsor licensing: Tier 4 basic compliance assessment guidance, with the most recent at the top.</p> <table border="1"> <thead> <tr> <th data-bbox="528 392 938 432">Date of the change</th> <th data-bbox="938 392 1608 432">Details of the change</th> </tr> </thead> <tbody> <tr> <td data-bbox="528 432 938 807">20 October 2015</td> <td data-bbox="938 432 1608 807"> <p>Change request:</p> <ul style="list-style-type: none"> <li>change made to the name of the document (was previously called the Points-based system sponsor licensing: highly trusted sponsors (HTS))</li> <li>changes made to guidance to reflect 6 April 2015 policy changes made to the Tier 4 guidance for sponsors</li> </ul> </td> </tr> <tr> <td data-bbox="528 807 938 1374">19 March 2015</td> <td data-bbox="938 807 1608 1374"> <p>Change request:</p> <p>Changes made to the following pages:</p> <ul style="list-style-type: none"> <li>Highly trusted sponsor: caseworker checks</li> <li>Highly trusted sponsor status: core requirements</li> <li>Highly trusted sponsor: discretionary assessment</li> <li>Highly trusted sponsor decision making</li> </ul> <p>Applications from independent schools that do not meet the requirements for HTS will be assessed on a discretionary basis.</p> </td> </tr> <tr> <td data-bbox="528 1374 938 1407">19 February 2015</td> <td data-bbox="938 1374 1608 1407">Change request:</td> </tr> </tbody> </table>	Date of the change	Details of the change	20 October 2015	<p>Change request:</p> <ul style="list-style-type: none"> <li>change made to the name of the document (was previously called the Points-based system sponsor licensing: highly trusted sponsors (HTS))</li> <li>changes made to guidance to reflect 6 April 2015 policy changes made to the Tier 4 guidance for sponsors</li> </ul>	19 March 2015	<p>Change request:</p> <p>Changes made to the following pages:</p> <ul style="list-style-type: none"> <li>Highly trusted sponsor: caseworker checks</li> <li>Highly trusted sponsor status: core requirements</li> <li>Highly trusted sponsor: discretionary assessment</li> <li>Highly trusted sponsor decision making</li> </ul> <p>Applications from independent schools that do not meet the requirements for HTS will be assessed on a discretionary basis.</p>	19 February 2015	Change request:	<p><b>Related links</b></p> <p><b>See also</b>  <a href="#">Contact</a>  <a href="#">Information owner</a></p> <p>Links to staff intranet removed</p>
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<a href="#">secondary and authorisation Tier 4 legacy sponsors</a>			<ul style="list-style-type: none"> <li>guidance completely revised by temporary migration change team.</li> </ul>		
			<p>For previous changes to this guidance you will find all earlier versions in the archive. See related link: PBS sponsor licensing highly trusted sponsor - Archive</p>		

## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### Basic compliance assessment: General information

<p><a href="#">About this guidance</a> <a href="#">Basic compliance assessment: fees</a> <a href="#">Basic compliance assessment: qualifying criteria</a> <a href="#">Basic compliance assessment: caseworker checks</a> <a href="#">Basic compliance assessment: core requirements</a> <a href="#">Basic compliance assessment: requesting a compliance visit</a> <a href="#">Basic compliance assessment: discretionary assessment</a> <a href="#">Basic compliance assessment: decision making</a> <a href="#">Basic compliance assessment: renewal applications</a> <a href="#">Basic compliance assessment: revocation action</a> <a href="#">Basic compliance assessment: primary.</a></p>	<p>This page explains when sponsors are required to apply for a basic compliance assessment, and what happens if a sponsor fails to apply.</p> <p><b>Probationary sponsors</b></p> <p>Once a sponsor is licensed in Tier 4, they appear on the Tier 4 register of sponsors as a 'probationary sponsor'. A probationary sponsor must apply for a basic compliance assessment a year after being issued with a probationary sponsor licence. The application must be made using the sponsorship management system (SMS) no earlier than 11 months and no later than 12 months after the date the probationary sponsor licence was issued.</p> <p><b>Tier 4 sponsor status</b></p> <p>Once a probationary sponsor has passed the basic compliance assessment they will be given 'Tier 4 Sponsor' status. Sponsors with Tier 4 Sponsor status must apply for a basic compliance assessment every 12 months.</p> <p><b>Failing to apply for a basic compliance assessment</b></p> <p>You must begin revocation action if a sponsor fails to:</p> <ul style="list-style-type: none"><li>• apply for a basic compliance assessment within 12 months of the date they were initially granted a probationary sponsor licence</li><li>• fails to apply for a basic compliance assessment to renew their Tier 4 sponsor status every 12 months</li></ul> <p>You must remove them from the Tier 4 register of sponsors and give them 20 working days to make representations against the revocation decision.</p> <p>You must use this guidance as well as the sponsor guidance, to complete the validation and evaluation checks and record the outcome in Metastorm 'Perform actions'.</p> <p>See: Metastorm perform actions: HTS</p>	<p><b>Related links</b></p> <p>Links to staff intranet removed</p> <p><a href="#">Tier 4 legacy sponsors</a></p> <p><a href="#">Basic Compliance Assessment: caseworker checks</a></p> <p><b>Downloads</b></p> <p>Links to staff intranet removed</p> <p><b>External links</b></p> <p><a href="#">Tier 4 guidance for sponsors</a></p>
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<a href="#">secondary and authorisation Tier 4 legacy sponsors</a>	<p>You should also consider reviewing customer service standards where applicable throughout the guidance process and updating Metastorm appropriately. For further information, see:</p> <ul style="list-style-type: none"><li>• Sponsorship: customer service standards</li><li>• Metastorm user guide: service standards</li></ul>	
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## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### Basic compliance assessment: Fees

<p><a href="#">About this guidance</a> <a href="#">Basic compliance assessment: general information</a> <a href="#">Basic compliance assessment: qualifying criteria</a> <a href="#">Basic compliance assessment: core requirements</a> <a href="#">Basic compliance assessment: requesting a compliance visit</a> <a href="#">Basic compliance assessment: discretionary assessment</a> <a href="#">Basic compliance assessment: decision making</a> <a href="#">Basic compliance assessment: renewal applications</a> <a href="#">Basic compliance assessment: revocation action</a> <a href="#">Basic compliance assessment: primary, secondary and authorisation</a></p>	<p>This page tells you about fees for basic compliance assessment applications.</p> <p><b>Fees</b></p> <p>There is a single fee of £536 for basic compliance assessment applications.</p> <p>There is no fee if the sponsor is a Tier 4 premium sponsor applying for a basic compliance assessment to maintain their Tier 4 Sponsor status.</p> <p>As the sponsor cannot make an application using the sponsorship management system (SMS) without paying the appropriate fee, no further payment checks are required.</p> <p>For further information on the perform actions on Metastorm to record payments, see: Metastorm perform actions: HTS.</p>	
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<a href="#">Tier 4 legacy sponsors</a>		
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## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### Basic compliance assessment: Qualifying criteria

<p><a href="#">About this guidance</a>  <a href="#">Basic compliance assessment: general information</a>  <a href="#">Basic compliance assessment: fees</a>  <a href="#">Basic compliance assessment: core requirements</a>  <a href="#">Basic compliance assessment: requesting a compliance visit</a>  <a href="#">Basic compliance assessment: discretionary assessment</a>  <a href="#">Basic compliance assessment: decision making</a>  <a href="#">Basic compliance assessment: renewal applications</a>  <a href="#">Basic compliance assessment: revocation action</a>  <a href="#">Basic compliance assessment: primary, secondary and authorisation</a>  <a href="#">Tier 4 legacy sponsors</a></p>	<p>This section explains the checks you must do to establish whether a sponsor meets the qualifying criteria when applying for a basic compliance assessment.</p> <p>Caseworkers should use the following table to check the sponsor meets the qualifying criteria:</p> <table border="1"> <thead> <tr> <th data-bbox="448 494 1108 534">If...</th> <th data-bbox="1108 494 1769 534">Then...</th> </tr> </thead> <tbody> <tr> <td data-bbox="448 534 1108 949"> <p>The sponsor has no compliance issues and falls into one of the following categories:</p> <ul style="list-style-type: none"> <li>• has a valid Tier 4 probationary sponsor licence and has applied for a basic compliance assessment to gain Tier 4 sponsor status within the application window</li> <li>• already holds Tier 4 Sponsor status and is applying to renew their status within their renewal window,</li> </ul> </td> <td data-bbox="1108 534 1769 949"> <p>You must:</p> <ul style="list-style-type: none"> <li>• continue to casework the application</li> </ul> </td> </tr> <tr> <td data-bbox="448 949 1108 1173"> <p>There is any outstanding compliance action.</p> </td> <td data-bbox="1108 949 1769 1173"> <p>You must:</p> <ul style="list-style-type: none"> <li>• email the Tier 4 sponsor compliance team to establish the appropriate action to take</li> </ul> </td> </tr> <tr> <td data-bbox="448 1173 1108 1402"> <p>A special marker is set.</p> </td> <td data-bbox="1108 1173 1769 1402"> <p>You must:</p> <ul style="list-style-type: none"> <li>• contact the appropriate team</li> <li>• bring forward (b/f) the case and await further instruction if required</li> <li>• continue caseworking when the</li> </ul> </td> </tr> </tbody> </table>	If...	Then...	<p>The sponsor has no compliance issues and falls into one of the following categories:</p> <ul style="list-style-type: none"> <li>• has a valid Tier 4 probationary sponsor licence and has applied for a basic compliance assessment to gain Tier 4 sponsor status within the application window</li> <li>• already holds Tier 4 Sponsor status and is applying to renew their status within their renewal window,</li> </ul>	<p>You must:</p> <ul style="list-style-type: none"> <li>• continue to casework the application</li> </ul>	<p>There is any outstanding compliance action.</p>	<p>You must:</p> <ul style="list-style-type: none"> <li>• email the Tier 4 sponsor compliance team to establish the appropriate action to take</li> </ul>	<p>A special marker is set.</p>	<p>You must:</p> <ul style="list-style-type: none"> <li>• contact the appropriate team</li> <li>• bring forward (b/f) the case and await further instruction if required</li> <li>• continue caseworking when the</li> </ul>	<p><b>Related links</b>  Links to staff intranet removed</p> <p><a href="#">Basic compliance assessment: caseworker checks</a></p> <p><b>Downloads</b>  Links to staff intranet removed</p> <p><b>External links</b>  <a href="#">Tier 4 sponsor guidance</a></p>
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		relevant team confirm you can progress the case  Links to staff intranet removed	
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## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### Basic compliance assessment: Caseworker checks

<p><a href="#">About this guidance</a> <a href="#">Basic compliance assessment: general information</a> <a href="#">Basic compliance assessment: fees</a> <a href="#">Basic compliance assessment: qualifying criteria</a> <a href="#">Basic compliance assessment: core requirements</a> <a href="#">Basic compliance assessment: requesting a compliance visit</a> <a href="#">Basic compliance assessment: discretionary assessment</a> <a href="#">Basic compliance assessment: decision making</a> <a href="#">Basic compliance assessment: renewal applications</a> <a href="#">Basic compliance assessment: revocation action</a> <a href="#">Basic compliance assessment: primary,</a></p>	<p>This page explains the checks you must make when considering a basic compliance assessment.</p> <p>You must record the outcome of each check and complete the decision summary in Metastorm 'Perform actions' See: Metastorm perform actions: HTS.</p> <p>You must make the checks below before you do the core requirement caseworking checks. For information on mandatory checks see:</p> <ul style="list-style-type: none"><li>• key personnel checks</li><li>• criminality and immigration history checks</li><li>• legacy and current systems checks</li><li>• business rules checks</li><li>• risk checks</li><li>• links to staff intranet removed</li><li>• insolvency checks</li><li>• civil penalty checks</li></ul> <p><b>Accrediting and educational oversight body checks</b></p> <p>Tier 4 sponsors applying for a basic compliance assessment must have educational oversight with one of the following educational oversight bodies:</p> <ul style="list-style-type: none"><li>• <a href="#">Quality Assurance Agency for Higher Education (QAA)</a></li><li>• <a href="#">Ofsted (England)</a></li><li>• <a href="#">Education Scotland (Scotland)</a></li><li>• <a href="#">Estyn (Wales)</a></li><li>• <a href="#">Education and Training Inspectorate (Northern Ireland)</a></li><li>• <a href="#">Independent Schools Inspectorate (ISI) (England and Wales)</a></li><li>• <a href="#">Bridge Schools Inspectorate</a></li><li>• <a href="#">School Inspection Service</a></li></ul>	<p><b>In this section</b></p> <p><b>Related links</b> Links to staff intranet removed</p>
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[secondary and authorisation Tier 4 legacy sponsors](#)

**Exempt organisations**

The following organisations are not subject to the educational oversight criteria, and can apply for a basic compliance assessment without it:

- the UK Foundation Programme Office
- Health Education Yorkshire and the Humber and Health Education South London
- overseas providers who offer short-term ‘study abroad’ programmes on their own premises in the UK

**Making the checks**

Sponsors with educational oversight from an appropriate educational oversight body are detailed on the Tier 4 tab on Metastorm. As this information may be out of date you must also check the sponsor’s educational oversight by looking at the relevant educational oversight body’s website to confirm that the sponsor and any related sites and teaching partnerships have achieved the required rating.

If...	Then...
The sponsor has the required educational oversight or is exempt.	You must: <ul style="list-style-type: none"> <li>• continue to casework the application as the sponsor meets the criteria</li> </ul>
The sponsor has the required educational oversight but the details on the ‘Tier 4’ tab on Metastorm are incorrect.	You must: <ul style="list-style-type: none"> <li>• update the sponsor record by making the appropriate changes using the maintain sponsor tab on Metastorm</li> </ul>
The sponsor does not have the required educational oversight or exemption and is listed as a legacy sponsor on the ‘Notes’ tab in Metastorm.	You must: <ul style="list-style-type: none"> <li>• continue to casework even though the sponsor does not meet the criteria -</li> </ul>

		<p>legacy sponsors must apply for a basic compliance assessment to maintain their Tier 4 legacy sponsor status to continue to sponsor their existing migrants</p> <p>For more information, see: <a href="#">Tier 4 Legacy sponsors</a>.</p>	
	<p>The sponsor is a:</p> <ul style="list-style-type: none"> <li>• private provider, overseas HEI, or publicly funded college with Tier 4 sponsor status and has not achieved the required rating following a full inspection</li> </ul>	<p>You must:</p> <p>continue to casework even though the sponsor does not meet the criteria for the following reasons:</p> <ul style="list-style-type: none"> <li>• the sponsor may fall for refusal if they do not meet all other requirements and their licence may be revoked</li> <li>• the sponsor may meet all other requirements and will be made a legacy sponsor</li> </ul>	
	<p>The sponsor is a:</p> <ul style="list-style-type: none"> <li>• private provider or overseas HEI with Tier 4 Sponsor status and requires a full inspection following a monitoring visit or interim health check</li> </ul>	<p>You must:</p> <p>continue to casework even though the sponsor does not meet the criteria for the following reasons:</p> <ul style="list-style-type: none"> <li>• the sponsor may fall for refusal if they do not meet all other requirements and their licence may be revoked.</li> </ul>	

		<ul style="list-style-type: none"> <li>the sponsor may meet all other requirements and they will be <ul style="list-style-type: none"> <li>removed from the Tier 4 register of sponsors</li> <li>unable to assign confirmation of acceptance for studies (CAS) pending the outcome of the inspection</li> </ul> </li> </ul>	
	<p>The sponsor is a:</p> <ul style="list-style-type: none"> <li>HEI or independent school with Tier 4 sponsor status and has not achieved the required rating following a statutory education inspection</li> </ul>	<p>You must:</p> <p>continue to casework even though the sponsor does not meet the criteria for the following reasons:</p> <ul style="list-style-type: none"> <li>the sponsor may fall for refusal if they do not meet all other requirements and their licence may be revoked.</li> <li>the sponsor may meet all other requirements but their CAS allocation will be set at zero until they achieve the required rating in a new statutory education inspection</li> </ul>	
	<p>The sponsor:</p> <ul style="list-style-type: none"> <li>is a probationary sponsor and has not achieved the required rating in a Tier 4 educational oversight inspection or a statutory education inspection</li> </ul>	<p>You must:</p> <ul style="list-style-type: none"> <li>revoke the sponsor's licence</li> </ul>	
<p>For further information on Tier 4 educational oversight requirements and exemptions, see: <a href="#">Tier 4 sponsor guidance</a>.</p>			

## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### Basic compliance assessment: Core requirements

<p><a href="#">About this guidance</a>  <a href="#">Basic compliance assessment: general information</a>  <a href="#">Basic compliance assessment: fees</a>  <a href="#">Basic compliance assessment: qualifying criteria</a>  <a href="#">Basic compliance assessment: requesting a compliance visit</a>  <a href="#">Basic compliance assessment: discretionary assessment</a>  <a href="#">Basic compliance assessment: decision making</a>  <a href="#">Basic compliance assessment: renewal applications</a>  <a href="#">Basic compliance assessment: revocation action</a>  <a href="#">Basic compliance assessment: primary, secondary and authorisation</a>  <a href="#">Tier 4 legacy sponsors</a></p>	<p>This page explains the core requirements to be met when the sponsor applies for a basic compliance assessment.</p> <p>The application must be considered against the core requirements (in the table below) which the sponsor must meet for the application to be considered further.</p> <p>All basic compliance assessment applications must be considered against the core requirements detailed in the table below:</p> <p><b>Basic compliance assessment: Core requirement checks</b></p> <table border="1"> <thead> <tr> <th data-bbox="448 638 896 686">Mandatory criteria</th> <th data-bbox="896 638 1321 686">Requirements</th> <th data-bbox="1321 638 1769 686">How to measure</th> </tr> </thead> <tbody> <tr> <td data-bbox="448 686 896 941">Minimum qualifying period.</td> <td data-bbox="896 686 1321 941">12 months.</td> <td data-bbox="1321 686 1769 941">The sponsor cannot submit an application on the sponsorship management system (SMS) unless they have held a licence for 11 months.</td> </tr> <tr> <td data-bbox="448 941 896 981">No civil penalties.</td> <td data-bbox="896 941 1321 981">Three years or more.</td> <td data-bbox="1321 941 1769 981">See: Civil penalty checks.</td> </tr> <tr> <td data-bbox="448 981 896 1391">Refusal rate transitional arrangement – 1 November 2014 – 31 July 2015.</td> <td data-bbox="896 981 1321 1391">Less than 10%.</td> <td data-bbox="1321 981 1769 1391">Transitional arrangements – for applications made on or after 1 November 2014 to 31 July 2015 use confirmation of acceptance for studies (CAS) data from 1 August 2014 when assessing refusal rate. For more information see transitional arrangements section below.</td> </tr> </tbody> </table>	Mandatory criteria	Requirements	How to measure	Minimum qualifying period.	12 months.	The sponsor cannot submit an application on the sponsorship management system (SMS) unless they have held a licence for 11 months.	No civil penalties.	Three years or more.	See: Civil penalty checks.	Refusal rate transitional arrangement – 1 November 2014 – 31 July 2015.	Less than 10%.	Transitional arrangements – for applications made on or after 1 November 2014 to 31 July 2015 use confirmation of acceptance for studies (CAS) data from 1 August 2014 when assessing refusal rate. For more information see transitional arrangements section below.	<p><b>In this section</b></p> <p><b>Related links</b></p> <p>Links to staff intranet removed</p> <p><a href="#">Tier 4 sponsor guidance</a></p> <p><b>Downloads</b></p> <p>Links to staff intranet removed</p>
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Enrolment rate.	At least 90%.	CAS data from SMS and MIDA Information.
Course completion rate.	At least 85%.	CAS data from SMS and MIDA Information.

**Transitional arrangements**

Transitional arrangements will apply to all applications received on or after 1 November 2014 until 31 July 2015.

For all applications received during this transitional period you must only measure the refusal rate using 'CAS used' data from 1 August 2014 onwards. All refusals before this date must be discounted and do not include any students with live appeals or administrative reviews against our decision to refuse their Tier 4 application.

Sponsors will revert to the annual cycle of CAS data assessment for the core requirements once they have completed 12 months.

All applications received after 31 July 2015 will have their refusal rate assessed using the CAS data from SMS for the previous 12 month period.

**Sponsors who do not meet one or more of the core requirements**

Sponsors must be given a discretionary assessment by a senior manager where they are applying for a basic compliance assessment and:

- have not used any CAS within the assessment period
- have used fewer than 50 CAS within the assessment period and fail to meet the core requirements
- are an independent school which has not passed the core requirements

For further information, see:

- [Refusing and revoking a Tier 4 licence](#)
- [Discretionary assessment](#)

## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### Basic compliance assessment: Requesting a compliance visit

<p><a href="#">About this guidance</a>  <a href="#">Basic compliance assessment: general information</a>  <a href="#">Basic compliance assessment: fees</a>  <a href="#">Basic compliance assessment: qualifying criteria</a>  <a href="#">Basic compliance assessment: core requirements</a>  <a href="#">Basic compliance assessment: discretionary assessment</a>  <a href="#">Basic compliance assessment: decision making</a>  <a href="#">Basic compliance assessment: renewal applications</a>  <a href="#">Basic compliance assessment: revocation action</a>  <a href="#">Basic compliance assessment: primary, secondary and authorisation</a>  <a href="#">Tier 4 legacy sponsors</a></p>	<p>This page explains what to consider before requesting a visit from the sponsorship compliance network.</p> <p>A compliance visit referral will depend on whether:</p> <ul style="list-style-type: none"> <li>• you identify any concerns when you consider the application</li> <li>• there are any intelligence packages relating to the sponsor</li> </ul> <table border="1" data-bbox="465 579 1769 884"> <thead> <tr> <th data-bbox="465 579 1115 619">If...</th> <th data-bbox="1115 579 1769 619">Then...</th> </tr> </thead> <tbody> <tr> <td data-bbox="465 619 1115 692">the sponsor has been visited in the previous 12 months and is licensed in multiple tiers</td> <td data-bbox="1115 619 1769 692">You must check if the previous visit also included Tier 4.</td> </tr> <tr> <td data-bbox="465 692 1115 884"> <ul style="list-style-type: none"> <li>• the sponsor has not had a compliance visit for their Tier 4 licence in the previous 12 months</li> <li>• you identify concerns or there is an intelligence package</li> </ul> </td> <td data-bbox="1115 692 1769 884">You must consider whether your concerns and/or the intelligence package mean you must refer the sponsor for a compliance visit before you casework the application to the decision stage.</td> </tr> </tbody> </table> <p>Before submitting the referral you must have considered all of the confirmation of acceptance for studies (CAS) and management information and sponsorship management system (SMS) data analysis information so you can detail any specific migrant information which you want the compliance officer to investigate during the visit.</p> <p>For information on how to make a referral, see: Compliance visits.</p>	If...	Then...	the sponsor has been visited in the previous 12 months and is licensed in multiple tiers	You must check if the previous visit also included Tier 4.	<ul style="list-style-type: none"> <li>• the sponsor has not had a compliance visit for their Tier 4 licence in the previous 12 months</li> <li>• you identify concerns or there is an intelligence package</li> </ul>	You must consider whether your concerns and/or the intelligence package mean you must refer the sponsor for a compliance visit before you casework the application to the decision stage.	<p>Links to staff intranet removed</p>
If...	Then...							
the sponsor has been visited in the previous 12 months and is licensed in multiple tiers	You must check if the previous visit also included Tier 4.							
<ul style="list-style-type: none"> <li>• the sponsor has not had a compliance visit for their Tier 4 licence in the previous 12 months</li> <li>• you identify concerns or there is an intelligence package</li> </ul>	You must consider whether your concerns and/or the intelligence package mean you must refer the sponsor for a compliance visit before you casework the application to the decision stage.							

## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### Basic compliance assessment: Discretionary assessment

<p><a href="#">About this guidance</a> <a href="#">Basic compliance assessment: general information</a> <a href="#">Basic compliance assessment: fees</a> <a href="#">Basic compliance assessment: qualifying criteria</a> <a href="#">Basic compliance assessment: core requirements</a> <a href="#">Basic compliance assessment: requesting a compliance visit</a> <a href="#">Basic compliance assessment: decision making</a> <a href="#">Basic compliance assessment: renewal applications</a> <a href="#">Basic compliance assessment: revocation action</a> <a href="#">Basic compliance assessment: primary, secondary and authorisation</a> <a href="#">Tier 4 legacy sponsors</a></p>	<p>This page tells you about a discretionary assessment for sponsors applying for a basic compliance assessment.</p> <p>Sponsors must be given a discretionary assessment by a senior manager where they:</p> <ul style="list-style-type: none"><li>• have not used any confirmation of acceptance for studies (CAS) within the assessment period before the basic compliance assessment application</li><li>• have used fewer than 50 CAS within the assessment period before making their basic compliance assessment application and they fail to meet the core requirements</li><li>• are an independent school that has not passed the core requirements</li></ul> <p>Discretionary assessments are conducted on a case-by-case basis. The factors a senior manager can consider include, but are not limited to:</p> <ul style="list-style-type: none"><li>• the reasons why visa applications were refused</li><li>• the reasons why students did not enrol and/or complete their course</li><li>• whether the sponsor is complying with their general sponsor duties</li><li>• whether the sponsor is still suitable and eligible to hold a Tier 4 sponsor licence</li><li>• the sponsor's history and compliance record with the Home Office</li><li>• whether the sponsor poses any threat to immigration control</li></ul> <p>You must complete the decision based on the senior manager's recommendation to either refuse or approve a discretionary grant of Tier 4 sponsor status.</p> <p>For further information, see: <a href="#">Basic Compliance Assessment: decision making</a>.</p>	<p><b>Related link</b></p> <p><b>External Link</b> <a href="#">Tier 4 policy guidance</a></p> <p><b>Downloads</b> Links to staff intranet removed</p>
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## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### Basic compliance assessment: Decision making

<p><a href="#">About this guidance</a>  <a href="#">Basic compliance assessment: general information</a>  <a href="#">Basic compliance assessment: fees</a>  <a href="#">Basic compliance assessment: qualifying criteria</a>  <a href="#">Basic compliance assessment: core requirements</a>  <a href="#">Basic compliance assessment: requesting a compliance visit</a>  <a href="#">Basic compliance assessment: discretionary assessment</a>  <a href="#">Basic compliance assessment: renewal applications</a>  <a href="#">Basic compliance assessment: revocation action</a>  <a href="#">Basic compliance assessment: primary, secondary and authorisation</a>  <a href="#">Tier 4 legacy sponsors</a></p>	<p>This page explains the decision making requirements to pass or fail a basic compliance assessment.</p> <p>You must use the tables below to make the correct decision on a basic compliance assessment application.</p> <p>See: <a href="#">Tier 4 policy guidance</a>.</p> <p><b>Manager authorisation</b></p> <p>The following outcomes are automatically sent for authorisation to a senior manager, immediately after the decision recommendation has been entered on the case:</p> <ul style="list-style-type: none"> <li>• refuse</li> <li>• remove (when used in a manually created case)</li> </ul> <p>You can complete the decision recommendation once authorised.</p> <p>For further information, see: Metastorm user guide: HTS applications and renewals.</p> <p>When referring to the actions listed below in the table, please refer to the authorisation grid for information on clearance levels required. See related link: <a href="#">Authorisation grid</a></p> <table border="1" data-bbox="465 1098 1769 1394"> <thead> <tr> <th data-bbox="465 1098 1120 1133">If...</th> <th data-bbox="1120 1098 1769 1133">Then...</th> </tr> </thead> <tbody> <tr> <td data-bbox="465 1133 1120 1394">The sponsor has passed their basic compliance assessment, has the required educational oversight, and has been assessed against the core requirements.</td> <td data-bbox="1120 1133 1769 1394">                     You must:                     <ul style="list-style-type: none"> <li>• complete the Tier 4 Sponsor status case in Metastorm with an 'approve' outcome - the sponsor rating is automatically changed to Tier 4 Sponsor status for a first application or</li> </ul> </td> </tr> </tbody> </table>	If...	Then...	The sponsor has passed their basic compliance assessment, has the required educational oversight, and has been assessed against the core requirements.	You must: <ul style="list-style-type: none"> <li>• complete the Tier 4 Sponsor status case in Metastorm with an 'approve' outcome - the sponsor rating is automatically changed to Tier 4 Sponsor status for a first application or</li> </ul>	<p><b>Downloads</b></p> <p>Links to staff intranet removed</p>
If...	Then...					
The sponsor has passed their basic compliance assessment, has the required educational oversight, and has been assessed against the core requirements.	You must: <ul style="list-style-type: none"> <li>• complete the Tier 4 Sponsor status case in Metastorm with an 'approve' outcome - the sponsor rating is automatically changed to Tier 4 Sponsor status for a first application or</li> </ul>					

		<p>maintained as Tier 4 sponsor status for a renewal application</p> <ul style="list-style-type: none"> <li>• amend the sponsor's allocation if required on Metastorm</li> <li>• issue the Tier 4 sponsor status grant decision notification letter by email - see related link</li> </ul>	
	<p>The sponsor has passed their basic compliance assessment for a first, or renewal application, has the required educational oversight, and has been assessed against the core requirements. However, you still have concerns about the type and/or nature of the application.</p>	<p>You must discuss the application with your line manager before taking any further action.</p>	
	<p>The sponsor has used 50 or more confirmation of acceptance for studies (CAS) in the assessment period and has not met one or more of the core requirements.</p> <p>The sponsor has not provided the evidence requested within the given time limit.</p>	<p>You must:</p> <ul style="list-style-type: none"> <li>• complete the Tier 4 sponsor status case in Metastorm with a 'refuse' outcome</li> <li>• await authorisation before taking further revocation action</li> </ul> <p>See: <a href="#">Basic compliance assessment: Revocation action</a>.</p>	
	<p>The sponsor has used fewer than 50 CAS in the assessment period and has not met one or more of the core requirements.</p>	<p>You must:</p> <ul style="list-style-type: none"> <li>• refer the case to a senior manager for a discretionary assessment by completing the Tier 4 sponsor status case in Metastorm with an initial 'refuse' outcome</li> <li>• a senior manager must then consider</li> </ul>	

		<p>whether the sponsor should be given Tier 4 sponsor status or refused Tier 4 sponsor status, based on a discretionary assessment, and taking into account the factors listed in the basic compliance assessment (discretionary assessment section) of the <a href="#">Tier 4 guidance for sponsors</a></p> <ul style="list-style-type: none"> <li>• await decision from senior manager before taking further action</li> </ul>	
	<p>The sponsor cannot be assessed against the refusal, enrolment and course completion rate criteria as they have used zero CAS in the assessment period.</p>	<p>You must:</p> <ul style="list-style-type: none"> <li>• refer the case to a senior manager for a discretionary assessment by completing the Tier 4 sponsor status case in Metastorm with an initial 'refuse' outcome</li> <li>• a senior manager must then consider whether the sponsor should pass the basic compliance assessment following a discretionary assessment await decision from senior manager before taking further action</li> </ul>	
	<p>The sponsor is an independent school and has not passed the core requirements.</p>	<p>You must:</p> <ul style="list-style-type: none"> <li>• refer the case to a senior manager for a discretionary assessment by completing the Tier 4 Sponsor status case in Metastorm with an initial 'refuse' outcome</li> <li>• a senior manager must then consider whether the sponsor should pass the</li> </ul>	

		<p>basic compliance assessment following a discretionary assessment</p> <ul style="list-style-type: none"> <li>• await decision from senior manager before taking further action</li> </ul>	
	<p>The sponsor has not met the core requirements, and following a discretionary assessment the senior manager is not satisfied that the sponsor should pass the basic compliance assessment.</p>	<p>You must:</p> <ul style="list-style-type: none"> <li>• complete the Tier 4 sponsor status case in Metastorm with a 'refuse' outcome</li> <li>• begin revocation action</li> </ul> <p>See: <a href="#">Basic assessment compliance: Revocation action</a>.</p>	
	<p>The refusal decision on Metastorm has not been authorised and the senior manager has recommended that the sponsor should be given Tier 4 sponsor status after applying a discretionary assessment.</p>	<p>You must:</p> <ul style="list-style-type: none"> <li>• complete the Tier 4 sponsor status case in Metastorm with an 'approve' outcome - the sponsor rating is automatically changed to Tier 4 sponsor status for a first application or maintained as Tier 4 sponsor status for a renewal application</li> <li>• amend the sponsor's allocation if required on Metastorm</li> <li>• issue the 'Tier 4 sponsor status grant decision notification' letter by email.</li> </ul>	
	<p>The sponsor has a valid Tier 4 probationary sponsor licence and either:</p> <ul style="list-style-type: none"> <li>• has not submitted an application for a basic compliance assessment within 12 months of the date their Tier 4</li> </ul>	<p>You must:</p> <ul style="list-style-type: none"> <li>• refer to your line manager before taking further action</li> <li>• continue the revocation action if your</li> </ul>	

	<p>probationary sponsor licence was granted (a case will be created automatically to begin revocation action)</p> <ul style="list-style-type: none"> <li>• has declined to apply for a basic compliance assessment (a case will be created automatically to begin revocation action)</li> </ul>	<p>line manager approves</p> <ul style="list-style-type: none"> <li>• in exceptional circumstances, where your line manager does not agree revocation action, you will need to take intervention action to extend the application or renewal window</li> </ul>	
	<p>The sponsor has a valid Tier 4 sponsor licence and either:</p> <ul style="list-style-type: none"> <li>• has not submitted an application for a basic compliance assessment to renew their Tier 4 sponsor status (a case will be created automatically to begin revocation)</li> <li>• has declined to apply for a basic compliance assessment to renew Tier 4 sponsor status (a case will be created automatically to begin revocation)</li> </ul>	<p>See: <a href="#">Basic compliance assessment: Revocation action.</a></p>	
	<p>The sponsor:</p> <ul style="list-style-type: none"> <li>• is a legacy sponsor and has passed the basic compliance assessment</li> </ul>	<p>You must:</p> <ul style="list-style-type: none"> <li>• maintain legacy status</li> <li>• issue the Tier 4 sponsor status grant decision notification letter</li> </ul>	
	<p>During the basic compliance assessment consideration:</p> <ul style="list-style-type: none"> <li>• the sponsor licence has expired</li> <li>• a licence surrender request has been received</li> </ul>	<p>You must:</p> <ul style="list-style-type: none"> <li>• reject the application</li> <li>• issue the Tier 4 sponsor status reject decision notification letter</li> <li>• refund the fee</li> </ul>	



- the sponsor licence has been revoked

For more information see: Refunding fees.

## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### Basic compliance assessment: Renewal applications

<p><a href="#">About this guidance</a> <a href="#">Basic compliance assessment: general information</a> <a href="#">Basic compliance assessment: fees</a> <a href="#">Basic compliance assessment: qualifying criteria</a> <a href="#">Basic compliance assessment: core requirements</a> <a href="#">Basic compliance assessment: requesting a compliance visit</a> <a href="#">Basic compliance assessment: discretionary assessment</a> <a href="#">Basic compliance assessment: decision making</a> <a href="#">Basic compliance assessment: revocation action</a> <a href="#">Basic compliance assessment: primary, secondary and authorisation</a> <a href="#">Tier 4 legacy sponsors</a></p>	<p>This page explains what to do when Tier 4 sponsor status is due for renewal and the sponsor has submitted an application for a basic compliance assessment.</p> <p>Sponsors must apply for a basic compliance assessment every 12 months to renew their Tier 4 sponsor status.</p> <p>Tier 4 sponsor status is valid for 12 months and runs for one calendar year from the date the initial basic compliance assessment was passed and Tier 4 sponsor status given. For example, if a sponsor was granted Tier 4 sponsor status on 1 June 2012, the date of expiry would be 31 May 2013.</p> <p>Tier 4 sponsor status renewals, where granted, are automatically aligned with the original grant date in the sponsorship management system (SMS), even if the date of decision is later. For example, the:</p> <ul style="list-style-type: none"><li>• original application was granted on 1 June 2012 until 31 May 2013</li><li>• renewal application was granted on 1 September 2013</li><li>• period granted must be 1 June 2013 to 31 May 2014</li></ul> <p><b>Application deadline</b></p> <p>Renewal applications can only be submitted by sponsors using SMS before their Tier 4 sponsor status end date and no more than one month before the end date. The renewal opening date and Tier 4 sponsor status end date can be viewed by the sponsor in SMS.</p> <p>When considering the basic compliance assessment application for renewal of Tier 4 sponsor status refer to:</p> <ul style="list-style-type: none"><li>• <a href="#">Basic compliance assessment: Caseworker checks</a></li><li>• <a href="#">Basic compliance assessment: Core requirements</a></li><li>• <a href="#">Basic compliance assessment: Requesting a compliance visit</a></li></ul>	<p><b>Downloads</b></p> <p>Links to staff intranet removed</p>
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|--|--|--|
|  | <ul style="list-style-type: none"><li>• <a href="#">Basic compliance assessment: Revocation action</a></li></ul> |  |
|--|--|--|

## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### Basic compliance assessment: Revocation action

<p><a href="#">About this guidance</a>  <a href="#">Basic compliance assessment: general information</a>  <a href="#">Basic compliance assessment: fees</a>  <a href="#">Basic compliance assessment: qualifying criteria</a>  <a href="#">Basic compliance assessment: core requirements</a>  <a href="#">Basic compliance assessment: requesting a compliance visit</a>  <a href="#">Basic compliance assessment: discretionary assessment</a>  <a href="#">Basic compliance assessment: decision making</a>  <a href="#">Basic compliance assessment: renewal applications</a>  <a href="#">Basic compliance assessment: primary, secondary and authorisation</a>  <a href="#">Tier 4 legacy sponsors</a></p>	<p>This page explains the circumstances when you must remove a sponsor from the Tier 4 register of sponsors pending representations or revoke a Tier 4 licence when the sponsor has failed a basic compliance assessment.</p> <p>You must begin revocation action to remove them from the Tier 4 register of sponsors when:</p> <ul style="list-style-type: none"> <li>• the sponsor has failed a basic compliance assessment</li> <li>• the sponsor has failed to apply for a basic compliance assessment within 12 months of their Tier 4 probationary sponsor licence being granted</li> <li>• the sponsor has failed to apply for a basic compliance assessment to renew their Tier 4 sponsor status</li> <li>• the sponsor has declined to apply for a basic compliance assessment</li> <li>• the sponsor has been given a discretionary assessment but this has not been successful and therefore they have failed the basic compliance assessment</li> </ul> <p>When revoking the sponsor’s licence the institution and/or the company that owns it can be banned from the Tier 4 register of sponsors for a period of up to 2 years.</p> <p>The ban may also apply to the sponsor’s key personnel and/or others involved in the day to day running of the sponsor depending on their role in the matter.</p> <p>Caseworkers should discuss the length of the ban to be applied with their managers before completing revocation action.</p> <p>The first stage of the revocation action is to remove the sponsor from the Tier 4 register of sponsors. You must give the sponsor 20 working days to submit written representations against the revocation decision.</p> <table border="1" data-bbox="448 1356 1758 1398"> <tr> <td data-bbox="448 1356 1108 1398"><b>If...</b></td> <td data-bbox="1108 1356 1758 1398"><b>Then...</b></td> </tr> </table>	<b>If...</b>	<b>Then...</b>	<p><b>Related links</b>  Links to staff intranet removed</p>
<b>If...</b>	<b>Then...</b>			

	<p>The sponsor's application for a basic compliance assessment has been unsuccessful (a suspend or revoke case has been generated in Metastorm).</p>	<p>You must:</p> <ul style="list-style-type: none"> <li>• issue the Tier 4 sponsor status refuse decision notification letter by email and second class recorded delivery</li> <li>• issue the stakeholder email</li> </ul>	
<p>The sponsor has failed to submit a first basic compliance assessment application or a basic compliance assessment application to renew Tier 4 sponsor status.</p>	<p>The case is automatically brought forward (b/f) for 20 working days to allow the sponsor to provide representations</p>	<p>Their Tier 4 sponsor status has expired (a suspend or revoke case has been automatically generated in Metastorm).</p>	
<p>The sponsor has provided representations within the 20 working day period.</p>	<p>You must consider the representations and any documentary evidence supplied when reconsidering the original decision.</p>	<p>The sponsor has provided additional representations after the 20 working day period.</p>	
<p>No representation has been received from the sponsor within 20 working days.</p>	<p>You must:</p>	<p>Representation is received from the sponsor after the 20 working days.</p>	
	<ul style="list-style-type: none"> <li>• revoke the sponsor's Tier 4 licence</li> <li>• decide the length of the ban from the Tier 4 register of sponsors</li> <li>• decide whether the ban also applies to key personnel and/or others and apply sanctions <ul style="list-style-type: none"> <li>○ the length of the ban can be for a period of up to 2 years</li> </ul> </li> <li>• inform the sponsor of your decision by issuing the Tier 4 sponsor status licence revocation notification letter by email and 2<sup>nd</sup> class recorded delivery</li> <li>• complete the Tier 4 spreadsheet</li> </ul>		

For further detail caseworkers should refer to the [Tier 4 Guidance for Sponsors](#)

**Considering representation**

If the sponsor submits a request to reconsider the decision to revoke their Tier 4 licence they must both:

- provide representation
- justify the reasons they are challenging the decision - this may include documentary evidence to support their request

You must only reconsider if the sponsor is challenging the facts on which the Home Office based the decision to fail their basic compliance assessment application. You must not reconsider a decision if the sponsor challenges only either:

- the validity of sponsorship policy
- the Immigration Rules

If...	Then...
The sponsor's representation confirms that they meet the core requirements.	You must: <ul style="list-style-type: none"> <li>• lift the suspension</li> <li>• close the 'suspend/revoke' case in Metastorm</li> <li>• consult your line manager to open a manual Tier 4 sponsor status application</li> <li>• inform the sponsor of the decision by emailing the Tier 4 sponsor status licence grant decision notification letter</li> </ul>
The sponsor's representation does not	You must:

	demonstrate that they meet the core requirements.	<ul style="list-style-type: none"><li>• uphold the decision for failing the sponsor's basic compliance assessment</li><li>• complete the Metastorm actions and revoke the sponsors Tier 4 licence</li><li>• decide the length of the ban to apply</li><li>• decide whether the ban will also apply to key personnel and/or others involved in the day to day running of the sponsor and apply sanctions</li><li>• inform the sponsor of your decision by issuing the Tier 4 sponsor status licence revocation notification letter by email and 2<sup>nd</sup> class recorded delivery</li></ul>	
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## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### Basic compliance assessment: Primary, secondary and authorisation

<p><a href="#">About this guidance</a> <a href="#">Basic compliance assessment: general information</a> <a href="#">Basic compliance assessment: fees</a> <a href="#">Basic compliance assessment: qualifying criteria</a> <a href="#">Basic compliance assessment: core requirements</a> <a href="#">Basic compliance assessment: requesting a compliance visit</a> <a href="#">Basic compliance assessment: discretionary assessment</a> <a href="#">Basic compliance assessment: decision making</a> <a href="#">Basic compliance assessment: renewal applications</a> <a href="#">Basic compliance assessment: revocation action</a> <a href="#">Tier 4 legacy sponsors</a></p>	<p>This page explains the management checks specific to basic compliance assessment and Tier 4 sponsor status.</p> <p>Management checking levels can be set for Tier 4 sponsor casework and compliance caseworkers at both the validation and recommendation stages. The checking levels can also be set at different levels according to the outcomes selected, for example 10 per cent for the accept outcome at validation and 20 per cent for the reject outcome at validation.</p> <p>In addition, the following outcomes are automatically sent for authorisation immediately after the outcome has been entered on the case (at the recommendation stage only):</p> <ul style="list-style-type: none"><li>• refuse</li><li>• remove (when used in a manually created case)</li></ul> <p>Higher executive officer (HEO) and executive officer (EO) managers must check to make sure:</p> <ul style="list-style-type: none"><li>• the correct decision has been made against the criteria for Tier 4</li><li>• the length of the ban from the Tier 4 register of sponsors has been agreed</li><li>• the length of the ban applied to key personnel and/or others involved in the day to day running of the sponsor has been agreed</li><li>• the educational oversight criteria has been applied correctly</li><li>• basic compliance assessment applications have been made by the required deadline depending on the sponsors previous rating</li><li>• the discretionary assessment recommendation has been correctly recorded and actioned</li></ul> <ul style="list-style-type: none"><li>• For more information on management checks, see: Metastorm user guide: Management checks.</li></ul>	<p><b>Related links</b></p> <p><b>Downloads</b> Links to staff intranet removed</p>
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## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### Tier 4 legacy sponsors

<p><a href="#">About this guidance</a>  <a href="#">Basic compliance assessment: general information</a>  <a href="#">Basic compliance assessment: fees</a>  <a href="#">Basic compliance assessment: qualifying criteria</a>  <a href="#">Basic compliance assessment: core requirements</a>  <a href="#">Basic compliance assessment: requesting a compliance visit</a>  <a href="#">Basic compliance assessment: discretionary assessment</a>  <a href="#">Basic compliance assessment: decision making</a>  <a href="#">Basic compliance assessment: renewal applications</a>  <a href="#">Basic compliance assessment: revocation action</a>  <a href="#">Basic compliance assessment: primary,</a></p>	<p>This section explains the process for identifying when a sponsor must be given legacy status.</p> <p>Legacy sponsor status is given to sponsors who currently hold Tier 4 sponsor status, or who pass a basic compliance assessment to gain Tier 4 sponsor status when:</p> <ul style="list-style-type: none"> <li>• a sponsor fails to apply for a Tier 4 educational oversight inspection in time</li> <li>• an educational oversight body informs the Home Office that the sponsor has failed a statutory education inspection or Tier 4 educational oversight inspection (with the exception of HEIs and independent schools)</li> </ul> <table border="1" data-bbox="465 689 1769 1098"> <thead> <tr> <th data-bbox="465 689 1115 730">If...</th> <th data-bbox="1115 689 1769 730">Then...</th> </tr> </thead> <tbody> <tr> <td data-bbox="465 730 1115 1098"> <p>You are notified that the sponsor has failed to maintain educational oversight but retained their Tier 4 sponsor status.</p> </td> <td data-bbox="1115 730 1769 1098"> <p>You must email the educational oversight body to confirm that no appeals or objections have been received regarding the sponsor's failure to apply for an inspection, or failed inspection.</p> <p>You must then follow the actions listed in the granting legacy status to a sponsor section.</p> </td> </tr> </tbody> </table> <p>Legacy sponsors must continue to report on their existing migrant students, but will be unable to assign confirmation of acceptance for studies (CAS) for new students either entering the UK for study or switching from a UK educational institution.</p> <p>Legacy sponsors may apply for CAS to assign to existing students already studying at the time the sponsor becomes a legacy sponsor to allow the students to complete their course.</p>	If...	Then...	<p>You are notified that the sponsor has failed to maintain educational oversight but retained their Tier 4 sponsor status.</p>	<p>You must email the educational oversight body to confirm that no appeals or objections have been received regarding the sponsor's failure to apply for an inspection, or failed inspection.</p> <p>You must then follow the actions listed in the granting legacy status to a sponsor section.</p>	<p><b>In this section</b>  <a href="#">Granting legacy status to a sponsor</a>  <a href="#">Considering 'in-year' and 'follow on' requests for legacy sponsors</a></p> <p><b>Related links</b></p> <p><b>Downloads</b>  Links to staff intranet removed</p> <p><b>External links</b>  <a href="#">Tier 4 sponsor guidance</a></p> <p>Links to staff intranet removed</p>
If...	Then...					
<p>You are notified that the sponsor has failed to maintain educational oversight but retained their Tier 4 sponsor status.</p>	<p>You must email the educational oversight body to confirm that no appeals or objections have been received regarding the sponsor's failure to apply for an inspection, or failed inspection.</p> <p>You must then follow the actions listed in the granting legacy status to a sponsor section.</p>					

[secondary and authorisation](#)

Once legacy status is given, the sponsor will remain a legacy sponsor until their Tier 4 licence:

- expires
- is revoked
- the sponsor surrenders their licence

For further information, see:

- Tier 4 sponsor licences
- [Basic compliance assessment: Caseworker checks](#)

## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### Granting legacy status to a sponsor

[About this guidance](#)  
[Basic compliance assessment: general information](#)  
[Basic compliance assessment: fees](#)  
[Basic compliance assessment: qualifying criteria](#)  
[Basic compliance assessment: core requirements](#)  
[Basic compliance assessment: requesting a compliance visit](#)  
[Basic compliance assessment: discretionary assessment](#)  
[Basic compliance assessment: decision making](#)  
[Basic compliance assessment: renewal applications](#)  
[Basic compliance assessment: revocation action](#)  
[Basic compliance assessment: primary.](#)

This page explains what to do when you have confirmed that the sponsor has not applied for a Tier 4 educational oversight inspection in time or has failed to pass a statutory education inspection or Tier 4 educational oversight inspection.

If a sponsor has:

- not achieved the required rating following a statutory educational inspection or educational inspection with their approved body
- withdrawn their application for educational oversight
- failed to pay for their application or failed to continue to pay the inspection fees resulting in their withdrawal from the inspection cycle
- not applied for a Tier 4 educational oversight inspection in time

You must:

- reduce their confirmation of acceptance for studies (CAS) allocation to zero
- re-rate the sponsor to 'Legacy'
- email a confirmation letter to the sponsor

If...	Then...
The 'allocation history' tab in Metastorm indicates the sponsor has an allocation of one or more CAS.	You must check 'cases linked to sponsor' in Metastorm to check if there is an outstanding 'in-year' or 'follow on' request that relates to Tier 4
The sponsor has an outstanding 'in-year' or 'follow on' request.	<p>You must:</p> <ul style="list-style-type: none"> <li>• assign the 'in-year' or 'follow on' allocation request from the workstack to your 'to-do list' - if the request is currently being considered by another caseworker you must reassign the request to yourself</li> </ul>

#### Related links

[Considering 'in-year' and 'follow on' requests for legacy sponsors](#)

#### Downloads

Links to staff intranet removed

<a href="#">secondary and authorisation Tier 4 legacy sponsors</a>		<ul style="list-style-type: none"> <li>• reduce the CAS allocation to zero and email the LS confirmation and application of legacy status letter to the sponsor</li> <li>• re-rate the sponsor to 'Legacy' if educational oversight has not been gained</li> <li>• update the legacy sponsor master spreadsheet with details of the action you have taken</li> </ul> <p>To set the CAS allocation to zero, you must amend the CAS limit to the same number of CAS the sponsor has used. For example, if the sponsor has an allocation of 5 CAS and has used two, the limit must be set at two. This means the sponsor cannot assign any further CAS.</p>	
	<p>The sponsor does not have an 'in-year' or 'follow on' request under consideration or outstanding.</p>	<p>You must:</p> <ul style="list-style-type: none"> <li>• open an 'additional CoS allocation' action on Metastorm</li> <li>• reduce the CAS allocation to zero (see above for information)</li> <li>• email an 'LS confirmation and application of legacy status' letter to the sponsor - for the letter, see related links</li> <li>• re-rate the sponsor to 'Legacy' if educational oversight has not been gained</li> <li>• update the legacy sponsor master spreadsheet with the balance of CAS</li> </ul>	

		<p>remaining from the current allocation – this will make sure the correct numbers of CAS are granted if the Home Office reinstates the sponsor allocation</p>	
	<p>The balance of CAS is zero.</p>	<p>You must:</p> <ul style="list-style-type: none"> <li>• email an LS confirmation and application of legacy status letter to the sponsor using 'standalone letters' in Metastorm</li> <li>• re-rate the sponsor to 'Legacy' if educational oversight has not been gained</li> <li>• update the legacy sponsor spreadsheet with details of the action taken</li> </ul>	
<p>When a sponsor is granted legacy status they may wish to surrender their Tier 4 licence. The sponsor must submit a request to surrender their licence, For further information on managing a surrender see: <a href="#">Managing a licence surrender</a>.</p>			

## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### Considering ‘in-year’ and ‘follow on’ requests for legacy sponsors

<p><a href="#">About this guidance</a>  <a href="#">Basic compliance assessment: general information</a>  <a href="#">Basic compliance assessment: fees</a>  <a href="#">Basic compliance assessment: qualifying criteria</a>  <a href="#">Basic compliance assessment: core requirements</a>  <a href="#">Basic compliance assessment: requesting a compliance visit</a>  <a href="#">Basic compliance assessment: discretionary assessment</a>  <a href="#">Basic compliance assessment: decision making</a>  <a href="#">Basic compliance assessment: renewal applications</a>  <a href="#">Basic compliance assessment: revocation action</a>  <a href="#">Basic compliance assessment: primary.</a></p>	<p>This page explains what you must do when considering an ‘in-year’ request (a request for additional confirmation of acceptance for studies (CAS) within the allocation year) and a ‘follow on’ request (a request to renew the annual CAS allocation) from a legacy sponsor.</p> <p>Legacy sponsors can only request CAS to extend the leave of current students to complete their current course of studies. Legacy sponsors have their CAS allocation set to zero when legacy status is granted and must only apply for CAS when the need to extend a student’s leave arises. Legacy sponsors must provide the following information in support of their request. The:</p> <ul style="list-style-type: none"> <li>• student’s current CAS reference number</li> <li>• student’s full name, date of birth and passport number</li> <li>• date leave was granted and the date to which the leave is valid</li> <li>• name and duration of the course</li> <li>• duration of the extension of the course</li> <li>• reasons for the extension of the course</li> </ul> <p>Legacy sponsors must apply to renew their allocation even if they are granted zero CAS at this point. This makes sure the allocation remains active and that the sponsor can make a request for CAS if they require them in the future.</p> <p>You must take the following action when considering requests to renew or increase CAS allocations for legacy sponsors.</p> <table border="1" data-bbox="465 1177 1769 1402"> <thead> <tr> <th data-bbox="465 1177 1115 1217">If...</th> <th data-bbox="1115 1177 1769 1217">Then...</th> </tr> </thead> <tbody> <tr> <td data-bbox="465 1217 1115 1329">The sponsor submits an ‘in-year’ request to increase their allocation of CASs.</td> <td data-bbox="1115 1217 1769 1329">You must check that the required information (see above) has been provided in support of the request.</td> </tr> <tr> <td data-bbox="465 1329 1115 1402">The sponsor has not provided the required information in support of the request or has</td> <td data-bbox="1115 1329 1769 1402">You must refuse the request and email the LS in-year/follow on allocation decision</td> </tr> </tbody> </table>	If...	Then...	The sponsor submits an ‘in-year’ request to increase their allocation of CASs.	You must check that the required information (see above) has been provided in support of the request.	The sponsor has not provided the required information in support of the request or has	You must refuse the request and email the LS in-year/follow on allocation decision	<p><b>Related links</b>  <a href="#">Granting legacy status to a sponsor</a></p>
If...	Then...							
The sponsor submits an ‘in-year’ request to increase their allocation of CASs.	You must check that the required information (see above) has been provided in support of the request.							
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<a href="#">secondary and authorisation Tier 4 legacy sponsors</a>	only provided some of the information.	notification letter to the sponsor - the sponsor can re-submit the request at any time.	
	The sponsor has provided the required information in support of the request.	<p>You must determine if the CAS requested is to allow a student to complete their current course of study. You must:</p> <ul style="list-style-type: none"> <li>• use CAS checker to search for the current CAS and compare the student and course details provided by the sponsor in support of the request</li> <li>• use CRS and/or CID to compare the student's leave details with those provided by the sponsor in support of the request</li> </ul>	
	<p>The details provided by the sponsor are inconsistent with the details recorded on the CAS checker and/or CRS or CID, for example the:</p> <ul style="list-style-type: none"> <li>• migrant's personal details do not match or there is no trace of the migrant</li> <li>• course details do not match</li> <li>• leave dates do not match</li> </ul>	<p>You must:</p> <ul style="list-style-type: none"> <li>• refuse the request and email the LS in-year/follow on allocation decision notification letter to the sponsor - the sponsor can re-submit the request at any time</li> <li>• refer details of the discrepancy to the sponsor investigations team mailbox for further investigation</li> </ul>	
	<p>The details provided by the sponsor are consistent with the details recorded on the CAS checker and/or CRS or CID, but the reason for the extension, or the length of the extension are not acceptable.</p> <p>For example the:</p>	<p>You must:</p> <ul style="list-style-type: none"> <li>• refuse the request and email the <a href="#">LS in-year/follow on allocation decision notification letter</a> to the sponsor - the sponsor can re-submit the request at any time</li> <li>• refer details of the issue or</li> </ul>	

	<ul style="list-style-type: none"> <li>length of the extension is more than 90 days</li> <li>sponsor has not fully justified the reason for the extension</li> </ul>	<p>discrepancy to the sponsor investigations team mailbox for further investigation</p>	
	<p>The details provided by the sponsor are consistent with the details recorded on the CAS checker and/or CRS or CID and the length of the extension is acceptable and reasons are fully justified.</p>	<p>You must grant the request and email the LS in-year/follow on allocation decision notification letter to the sponsor.</p>	
	<p>The sponsor submits a 'follow-on' request to renew their allocation of CAS.</p>	<p>You must check if the sponsor is requesting an allocation of CAS to extend leave</p>	
	<p>The sponsor is requesting an allocation of CAS to extend a migrant's leave.</p>	<p>You must perform the same actions as you would for considering an 'in-year' request</p>	
	<p>The sponsor is not requesting an allocation of CAS.</p>	<p>You must:</p> <ul style="list-style-type: none"> <li>grant zero CAS</li> <li>email the LS in-year/follow on allocation decision notification to the sponsor</li> </ul>	



## Points-based system sponsor licensing: Tier 4 basic compliance assessment

### PBS sponsor licensing: Tier 4 basic compliance assessment: Contact

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<a href="#">secondary and authorisation Tier 4 legacy sponsors</a>		
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## Points-based system sponsor licensing: Tier 4 Basic Compliance Assessment

### PBS sponsor licensing: Tier 4 basic compliance assessment: Information owner

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This page tells you about this version of the 'Points-based system sponsor licensing: Tier 4 basic compliance assessment' guidance, and who owns it.

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Cleared by director	Official – sensitive: information removed
Director's role	Official – sensitive: information removed
Clearance date	17 September 2015

Changes to this guidance can only be made by the guidance, rules and forms team (GRaFT). If you think the policy content needs amending you must email the sponsor operational support team who will ask the GRaFT to update the guidance, if appropriate.

The GRaFT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the link: Email: guidance rules and forms team.

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